

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
NO: 7:14-CV-00156-BR

JAMAHL KWAME HOSENDOVE,

Plaintiff,

v.

OFFICER JOHN ERVIN and JACKSONVILLE  
POLICE DEPARTMENT,

Defendants.

ORDER

This matter is before the court upon the 1 October 2014 memorandum and recommendation (“M&R”) of U.S. Magistrate Judge Kimberly A. Swank that plaintiff’s claim against Officer John Ervin in his official capacity be dismissed. (DE # 5.) Plaintiff has not filed an objection to the M&R. The court adopts the M&R as its own and for the reasons stated therein, plaintiff’s claim against Officer Ervin in his official capacity is DISMISSED. Also, plaintiff’s claim against the Jacksonville Police Department is DISMISSED for the same reasons. Plaintiff’s claim against Officer Ervin in his individual capacity remains.

The 23 October 2014.



W. Earl Britt  
Senior U.S. District Judge